



DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2022-0858; Airspace Docket No. 22-AEA-5]

RIN 2120-AA66

Establishment and Amendment of Area Navigation (RNAV) Routes; Eastern United States

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action establishes Area Navigation (RNAV) route Q-141 and amends RNAV route Q-437 in support of the Northeast Corridor Atlantic Coast Route Project.

DATES: Effective date 0901 UTC, February 23, 2023. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order JO 7400.11 and publication of conforming amendments.

ADDRESSES: FAA Order JO 7400.11G, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at www.faa.gov/air_traffic/publications/. For further information, you can contact the Rules and Regulations Group, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591; telephone: (202) 267-8783.

FOR FURTHER INFORMATION CONTACT: Paul Gallant, Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591; telephone: (202) 267-8783.

SUPPLEMENTARY INFORMATION:

Authority for this Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it modifies the route structure as necessary to preserve the safe and efficient flow of air traffic within the National Airspace System.

History

The FAA published a notice of proposed rulemaking for Docket No. FAA-2022-0858 in the *Federal Register* (87 FR 45719; July 29, 2022), to establish Area Navigation (RNAV) route Q-141 and amend RNAV route Q-437 in support of the Northeast Corridor Atlantic Coast Route Project. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal. No comments were received.

United States Area Navigation routes are published in paragraph 2006 of FAA Order JO 7400.11G dated August 19, 2022, and effective September 15, 2022, which is incorporated by reference in 14 CFR 71.1. The RNAV routes listed in this document will be published subsequently in FAA Order JO 7400.11.

Availability and Summary of Documents for Incorporation by Reference

This document amends FAA Order JO 7400.G, Airspace Designations and Reporting Points, dated August 19, 2022, and effective September 15, 2022. FAA Order JO 7400.11G is publicly available as listed in the ADDRESSES section of this document. FAA Order JO 7400.11G lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Rule

This action amends 14 CFR part 71 by establishing RNAV route Q-141, and amending RNAV route Q-437 in the eastern United States in support of the Northeast Corridor Atlantic Coast Route project.

Q-141: Q-141 is a new route that extends from the HOUKY, VA, waypoint (WP) (located in the vicinity of the Hopewell, VA (HPW), VHF Omnidirectional Range and Tactical Air Navigational System (VORTAC)) to the NALES, DE, WP. Q-141 expands the availability of RNAV routing in the area.

Q-437: Q-437 extends from the VILLS, NJ, Fix, (located northwest of the Sea Isle, NJ (SIE), VORTAC to the SLANG, VT, WP (located northeast of the Cambridge, NY (CAM), VHF Omnidirectional Range/Distance Measuring Equipment (VOR/DME)). The FAA is terminating the route at the LLUND, NY, Fix (located north of the Kennedy, NY (JFK), VOR/DME). All points north of the LLUND Fix (i.e., BINGS, WARUV, and SLANG) are removed from the route. This is based on low demand for those segments and is a better fit traffic flows in the area. Additionally, the LUIGI, NJ, Fix is removed from the route description because it does not mark a turn point.

The full descriptions of Q-141 and Q-437 are listed in the amendments to part 71 set forth below.

FAA Order JO 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

Regulatory Notices and Analyses

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant

preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that only affects air traffic procedures and air navigation, it is certified that this rule, when promulgated, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

The FAA has determined that this action of establishing RNAV route Q-141 and amending Q-437 qualifies for categorical exclusion under the National Environmental Policy Act (42 U.S.C. §§ 4321 et seq.) and its implementing regulations at 40 CFR part 1500, and in accordance with FAA Order 1050.1F, Environmental Impacts: Policies and Procedures, paragraph 5-6.5a, which categorically excludes from further environmental impact review rulemaking actions that designate or modify classes of airspace areas, airways, routes, and reporting points (see 14 CFR part 71, Designation of Class A, B, C, D, and E Airspace Areas; Air Traffic Service Routes; and Reporting Points); and paragraph 5-6.5b, which categorically excludes from further environmental impact review “Actions regarding establishment of jet routes and Federal airways (see 14 CFR § 71.15, *Designation of jet routes and VOR Federal airways*)...”. As such, this action is not expected to result in any potentially significant environmental impacts. In accordance with FAA Order 1050.1F, paragraph 5-2 regarding Extraordinary Circumstances, the FAA has reviewed this action for factors and circumstances in which a normally categorically excluded action may have a significant environmental impact requiring further analysis. Accordingly, the FAA has determined that no extraordinary circumstances exist that warrant preparation of an environmental assessment or environmental impact study.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71--DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

§71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11G, Airspace Designations and Reporting Points, dated August 19, 2022, and effective September 15, 2022, is amended as follows:

Paragraph 2006, United States Area Navigation Routes.

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Q-141 HOUKY, VA to NALES, DE [New]		
HOUKY, VA	WP	(lat. 37°19'55.98"N., long. 077°07'57.63"W.)
TAPPA, VA	FIX	(lat. 37°58'12.66"N., long. 076°50'40.62"W.)
HYTRA, MD	WP	(lat. 38°17'31.91"N., long. 076°24'49.80"W.)
BLNTN, MD	WP	(lat. 38°44'10.33"N., long. 075°59'02.69"W.)
NALES, DE	FIX	(lat. 38°53'35.20"N., long. 075°38'11.13"W.)

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Q-437 VILLS, NJ to LLUND, NY [Amended]		
VILLS, NJ	FIX	(lat. 39°18'03.87"N., long. 075°06'37.90"W.)
DITCH, NJ	FIX	(lat. 39°47'37.86"N., long. 074°42'59.88"W.)
HNNAH, NJ	WP	(lat. 40°28'12.73"N., long. 074°02'36.62"W.)
LLUND, NY	FIX	(lat. 40°51'45.04"N., long. 073°46'57.30"W.)

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Issued in Washington, DC, on November 30, 2022.

Scott M. Rosenbloom,
Manager, Airspace Rules and Regulations.
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